

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twelfth day of May Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.9022 of 2021

MANIKANDAN @ BOTTLE MANI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
SELAIYUR POLICE STATION,
SELAIYUR, CHENNAI.
CRIME NO.1150/2012

[RESPONDENT]

For Petitioner : M/S S.DIVAN MYDEEN Advocate

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 22.02.2021 for the offences punishable under Sections 341, 294(b), 336, 427, 506(ii), 397 IPC @ into 341, 294(b), 336, 427, 506(ii), 397 IPC r/w 392 IPC in Crime No.1150 of 2012, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was facing trial in S.C.No.276 of 2012 on the file of the learned Subordinate Judge, Tambaram. He has not attended the Trial Court on 17.04.2013 and therefore, Non-Bailable Warrant dated 17.04.2013 was issued against him. After eight years only, Non-Bailable Warrant has been executed and he was remanded in jail.

3. The learned counsel for the petitioner submitted that the petitioner was regular in attending the court and he will abide by any conditions imposed by this Court and seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent strictly opposes the petition on the ground that because of the abscondance of the petitioner, there is no progress in the trial of the case.

5. Taking note of the fact that the sessions case is of the year 2012 in S.C.No.276 of 2012 and also the fact that because of the absence of the petitioner, there is no progress in the trial in S.C.No.276 of 2012, this court is not inclined to grant bail. Accordingly, this petition is dismissed.

6. However, the learned Trial Judge is directed to expedite the trial and dispose of the case as early as possible, preferably within three months from the date of receipt of a copy of this Order.

-sd/-
12/05/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SUBORDINATE JUDGE,
TAMBARAM.

2 THE INSPECTOR OF POLICE,
SELAIYUR POLICE STATION,
SELAIYUR, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

CC to M/S S.DIVAN MYDEEN Advocate on payment of necessary charges

CRL OP.9022/2021

Date :12/05/2021

MN-30/06/2021